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From: Kate H. Murashige – Reg No. 29,959

DATE:

July 23, 2007

Number of pages with cover page: 12

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#### Comments:

ATTORNEY DOCKET:

313632002300

GROUP ART UNIT:

1714

EXAMINER:

Not Yet Assigned

APPLICATION NO.:

10/586,226

FILING DATE:

January 14, 2005 (Intl)

INVENTOR(S):

Catharina Everdina HISSINK et al.

TITLE:

BIODEGRADABLE MULTI-BLOCKCO-POLYMERS

## Papers attached:

- 1. Transmittal (3 pages)
- 2. Request for Corrected Notice of Acceptance and Corrected Filing Receipt (2 pages)
- 3. Marked-up copy of page 1 of the Notice of Acceptance (1 page)
- 4. Marked-up copy of page 1 of the Filing Receipt (1 page)
- 5. Copy of originally submitted Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) (3 pages); and
- 6. Copy of page 1 of published application PCT/NL2005/000020 (1 page)

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL JUDY BRIDGWATER AT (858) 720-7985 AS SOON AS POSSIBLE.

SD-384966

PTO-1390 (Rev. 07-2005)
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TRANSMITTAL LETTER TO THE UNITED STATES	ATTORNEY'S DOCKET NUMBER				
DESIGNATED/ELECTED OFFICE (DO/EO/US)	313632002300 U.S. APPLICATION NO. (If known, see 37 CFR 1.5)				
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371	10/586,226				
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED				
PCT/NL2005/000020 14 January 2005 TITLE OF INVENTION	15 January 2004				
BIODEGRADABLE MULTI-BLOCK CO-POLYMERS					
APPLICANT(S) FOR DO/EO/US					
Catharina Everdina HISSINK et al.  Applicant herewith submits to the United States Designated/Elected Office (DO/EO/	/US) the following items and other information:				
1. This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.					
This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.					
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) Indicated below.					
4. The US has been elected (Article 31).					
5. A copy of the International Application as filed (35 U.S.C. 371 (c)(2))					
a. Is attached hereto (required only if not communicated by the Internation	nal Bureau).				
b. has been communicated by the International Bureau.					
c. is not required, as the application was filed in the United States Received	ving Office (RO/US).				
6. An English language translation of the International Application as filed (3	5 U.S.C. 371(c)(2)).				
a. is attached hereto.					
b. has been previously submitted under 35 U.S.C. 154(d)(4).					
7. Amendments to the claims of the International Application under PCT Artic					
a. are attached hereto (required only if not communicated by the International Bureau).					
b. have been communicated by the International Bureau.					
c. have not been made; however, the time limit for making such amendments has NOT expired.					
d. have not been made and will not be made.					
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).					
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).					
An English language translation of the annexes of the International Prelim Article 36 (35 U.S.C. 371(c)(5)).	inary Examination Report under PCT				
Items 11 to 20 below concern document(s) or information included:					
An Information Disclosure Statement under 37 CFR 1.97 and 1.98.					
An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.					
3. A preliminary amendment.					
An Application Data Sheet under 37 CFR 1.76.					
A substitute specification.					
A power of attorney and/or change of address letter.					
A computer-readable form of the sequence listing in accordance with PCT Rule 13/er.2 and 37 CFR 1.821 – 1.825.					
A second copy of the published International Application under 35 U.S.C. 154(d)(4).					
9. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).					

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U.S. APPLICATION NO. (# known, 500 S7 CFR 1.5) INTERNATIONAL APPLICATION NO. PCT/NL2005/000020				ATTORNEYS DOCKET NUMBER 313632002300				
20. x Other items or information:  Request for Corrected Notice of Acceptance and Request for Corrected Filing Receipt Under 37 CFR § 1.181 (2 pages); marked-up copy of page 1 of the Notice of Acceptance (1 page); marked-up copy of page 1 of the Filing Receipt (1 page); copy of originally submitted Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) (3 pages); and copy of page 1 of published application PCT/NL2005/000020 (1 page)								
The foll	owing fees hav	e been submit	ted			CALCULATION	IS PTO USEONLY	
21. Basic	o national fee (	37 CFR 1.492(	a))	••••	\$300	\$		
22. Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)						\$		
23. Search fee (37 CFR 1.492(b))  If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)						\$		
	TOTAL OF 21, 2	2 and 23 =				\$ 0.0	00	
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compiliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)).  The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					program listing in an			
Total Sheets	Extra Sheets		h additional 50 or fraction d up to a whole number)		RATE			
- 100 =	/50 =				x \$250.00	\$		
Surcharge of \$13 after the date of o	o for fumishing a	ny of the search for I the national stag	e, examination fee, or the e (37 CFR 1.492(h)).	oat	h or declaration	\$		
CLAIMS	טא	MBER FILED	NUMBER EXTRA		RATE			
Total clain	ns	- 20 =	0	×	60.00	0.00		
Independent claims - 3 = 0 x 200.00						0.0	00	
MULTIPLE DEPI	ENDENT CLAIM	5) (If applicable)		<u> </u>				
TOTAL OF ABOVE CALCULATIONS					\$ 0.00			
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					0.00			
SUBTOTAL =				SUBTOTAL =	\$ 0.00			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(I)).				\$				
TOTAL NATIONAL FEE =					\$ 0.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property					\$			
					\$			
TOTAL FEES ENCLOSED					\$ 0.00			
				••		Amount to be refunded:	\$	
				Amount to be charged	\$			

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. to cover the above fees is enclosed. A check in the amount of \$ in the amount of \$ \_\_\_\_\_0.00 Please charge my Deposit Account No. to cover the above fees. A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1952 . A duplicate copy of this sheet is enclosed. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038 NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed an granted to restore the international Application to pending status. SEND ALL CORRESPONDENCE TO: /Kate H. Murashige/ Kate H. Murashige SIGNATURE Morrison & Foerster LLP 12531 High Bluff Drive, Suite 100 San Diego, CA 92130 Kate H. Murashige NAME Telephone: (858) 720-5112 Facsimile: (858) 720-5125 29,959 CUSTOMER NUMBER: 25225 REGISTRATION NUMBER U.S. APPLICATION NO. (d known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER 10/586,226 PCT/NL2005/000020 313632002300 I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to: MS PCT, Attn: Legal, Commissioner or Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile no. (571) 273-0459, on the date shown below. Dated: July 23, 2006 Signature: (Judy Bridgwater)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to: MS PCT, Attn: Legal, Commissioner or Patents, P.O. Box 1460, Alexandria, VA 22313-1450, facsimile no. (571) 273-0458, on the date shown below.

Dated: July 23, 2007

Signature: (Judy Byldgwater)

Docket No.: 313632002300

(PATENT)

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Catharina Everdina HISSINK et al.

Application No.: 10/586,226

Filed: January 14, 2005 (Intl)

For: BIODEGRADABLE MULTI-BLOCK CO-

**POLYMERS** 

Confirmation No.: 2740

Art Unit: 1714

Examiner: Not Yet Assigned

# REQUEST FOR CORRECTED NOTICE OF ACCEPTANCE OF APPLICATION AND REQUEST FOR CORRECTED FILING RECEIPT UNDER 37 CFR § 1.181

MS PCT
Attn: Legal
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby respectfully requests that a corrected Notice of Acceptance of Application and a corrected Filing Receipt be issued for above-identified patent application:

On the Notice of Acceptance, please correct the priority date as follows:

"02/15/2004" --01/15/2004--

On the Filing Receipt, under Foreign Applications, please correct the European Patent Application information as follows:

EUROPEAN PATENT OFFICE (EPO) 04075099.4 "02/15/2004" --01/15/2004--

Submitted herewith are the following documents: a marked-up copy of page 1 of the Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495; a marked-up copy of page 1

Application No.: 10/586,226 Docket No.: 313632002300

of the official Filing Receipt; a copy of the originally submitted Transmittal Letter to the United States Designated/Elected Office (DO/EO/US); and a copy of page 1 of published application PCT/NL2005/000020.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

In the unlikely event that the transmittal letter is separated from this request and the Patent Office determines that a fee is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to <u>Deposit Account No. 03-1952</u> referencing docket no. <u>313632002300</u>.

Dated: July 23, 2007

Respectfully submitted,

By: /Kate H. Murashige/
Kate H. Murashige
Registration No.: 29,959
MORRISON & FOERSTER LLP
12531 High Bluff Drive, Suite 100
San Diego, California 92130-2040
(858) 720-5112

25225 KHM MORRISON & FOERSTER LLP

12531 HIGH BLUFF DRIVE

SAN DIEGO, CA 92130-2040

Page 1 of 2





SUITE 100

#### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Sox 1430 Alexandria, Vagnia 22313-1450

U.S. APPLICATION NUMBER NO. PIRST NAMED APPLICANT ATTY DOCKET NO 10/586,226 Catharina Everdina Hissink 313632002300

INTERNATIONAL APPLICATION NO.

PCT/NL05/00020

I.A. FILING DATE PRIORITY DATE

01/14/2005 -02/15/200401/15/2004

**CONFIRMATION NO. 2740** 

371 ACCEPTANCE LETTER

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Date Mailed: 06/15/2007

# NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

12/14/2006

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS

12/14/2006

DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Indication of Small Entity Status
- Copy of the International Application filed on 07/14/2006
- Copy of the International Search Report filed on 07/14/2006
- Preliminary Amendments filed on 07/14/2006
- Oath or Declaration filed on 12/14/2006
- U.S. Basic National Fees filed on 07/14/2006
- Priority Documents filed on 07/14/2006
- Specification filed on 07/14/2006
- Claims filed on 07/14/2006
- Abstracts filed on 07/14/2006
- Drawings filed on 07/14/2006

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#### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1430 Abstractic, Viginia 22313-1430

	APPL NO.	FILING OR 371(c) DATE	ART UNIT	FIL FEE REC'D	ATTY,DOCKET NO	TOT CLMS	IND CLMS
1	0/586 226	12/14/2006	1714	1040	313632002300	41	1

**CONFIRMATION NO. 2740** 

25225 KHM MORRISON & FOERSTER LLP 12531 HIGH BLUFF DRIVE SUITE 100 SAN DIEGO, CA 92130-2040



FILING RECEIPT

"OC000000023150676"

Date Mailed: 06/15/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

#### Applicant(s)

Catharina Everdina Hissink, Groningen, NETHERLANDS; Rob Steendam, Groningen, NETHERLANDS; Ronald Meyboom, Haren, NETHERLANDS; Theodorus Adrianus Cornelius Flipsen, Groningen, NETHERLANDS;

VED

JUN 22 2007

Power of Attorney: The patent practitioners associated with Customer Number <u>25225</u>.

MORRISON & FOERSTER LLP SAN DIEGO

#### Domestic Priority data as claimed by applicant

This application is a 371 of PCT/NL05/00020 01/14/2005

#### Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 04075099.4 02/15/2004 01/15/2004

If Required, Foreign Filing License Granted: 03/28/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/586,226

Projected Publication Date: 07/05/2007

Non-Publication Request: No



Approved for use Inrough 03/31/2007. OMB 0851-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL LETTER TO THE UNITED STATES	ATTORNEY'S DOCKET NUMBER				
DESIGNATED/ELECTED OFFICE (DO/EO/US)	313632002300 U.S. APPLICATION NO. (I known, see 37 CFR 1.5)				
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371	Not Yet Assigned				
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PCT/NL2005/000020 14 January 2005	PRIORITY DATE CLAIMED				
TITLE OF INVENTION 14 January 2005	15 January 2004				
BIODEGRADABLE MULTI-BLOCK CO-POLYMERS					
APPLICANT(S) FOR DO/EO/US Catharina Everdina HISSINK et al.	1				
Applicant herewith submits to the United States Designated/Flegted Office (DO/FO	II IC) the fall will be				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  1. X This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.					
2. This is a SECOND or SUBSEQUENT submission of items conceming a si					
This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.					
4. The US has been elected (Article 31).	l				
5. X A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) (62 p.	ages)				
a is attached hereto (required only if not communicated by the Internation	nal Bureau).				
b. has been communicated by the International Bureau.					
c is not required, as the application was filed in the United States Received					
6. An English language translation of the International Application as filed (35	U.S.C. 371(c)(2)).				
a. is attached horeto.					
b. has been previously submitted under 35 U.S.C. 154(d)(4).  7. Amendments to the claims of the international Application under DCT and a submitted to the claims of the international Application under DCT and a submitted to the claims of the international Application under DCT and a submitted to the claims of the international Application under DCT and a submitted to the claims of the international Application under the claims of the internation under the claims of the international application under the claims of the international application under the claims of the international application under the claims of the internation under the claims of the internation under the claims of the claims of the internation under the claims of the claims o					
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are altached hereto (required only if not communicated by the Internation     have been communicated by the International Bureau.	onal Bureau).				
c. have not been made; however, the time limit for making such amendments has NOT expired,  d. have not been made and will not be made.					
B An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).					
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).					
<ol> <li>An English language translation of the annexes of the International Prelimin Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>	ary Examination Report under PCT				
Items 11 to 20 below concern document(s) or information included:					
1 An Information Disclosure Statement under 37 CFR 1.97 and 1.98.					
2. An assignment document for recording. A separate cover sheet in compllar	nce with 37 CFR 3.28 and 3.31 is included.				
3. X A preliminary amendment. (9 pages)					
I. X An Application Data Sheet under 37 CFR 1.76.(3 pages)					
A substitute specification.  A power of attorney and/or change of address toros					
The state of any contract of additional region.					
A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.  A second copy of the published international Application under 25 H C C 45					
1 The pasition international application under 35 U.S.C. 154(d)(4).					
A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4),					

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U.S. APPLICATION NO (4 known, see 37 CFR 1,5) INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER PCT/NL2005/000020 313632002300 Not Yet Assigned 20. x Other items or information: Return Receipt Postcard The following fees have been submitted CALCULATIONS PTO USEONLY Basic national fee (37 CFR 1.492(a))......\$300 300.00 22. x Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)....... 200.00 23. | X Search fee (37 CFR 1.492(b)) 500.00 All other situations .... TOTAL OF 21, 22 and 23 = \$ 1,000.00 Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or traction thereof. Total Sheets Extra Sheets Number of each additional 50 or fraction RATE thereof (round up to a whole number) 62 - 100 = /50 = x \$250.00 Surcharge of \$130 for furnishing any of the search fee, examination fee, or the eath or declaration after the date of commencement of the national stage (37 C FR 1.492(h)). \$ CLAIMS NUMBER FILED NUMBER EXTRA Total claims 41 - 20 = 1,050.00 Independent claims 1 - 3 = × 0.00 MULTIPLE DEPENDENT CLAIM(S) (if applicable) TOTAL OF ABOVE CALCULATIONS # 2.050.00 Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by %. \$ 2,050.00 Processing fee of \$130,00 for lumishing the English translation later than 30 months from the earliest \$ claimed priority date (37 CFR 1.492(i)). **TOTAL NATIONAL FEE :** \$ 2,050.00 Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property \$ TOTAL FEES ENCLOSED 2,050.00 Amount to be \$ refunded: Amount to be \$ charged



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U. S. Petant and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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#### (12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

### (19) World Intellectual Property Organization International Bureau

# 

(43) International Publication Date 28 July 2005 (28.07.2005)

# (10) International Publication Number WO 2005/068533 A1

- (51) International Patent Classification7: C08G 63/91, 63/664, 63/672, 63/66, 81/02, AGIK 9/20
- (21) International Application Number: PCT/NL2005/000020
- (22) International Filing Date: 14 January 2005 (14 01,2005)
- (25) Filing Language:

English

(26) Publication Language:

English

(30) Priority Data: 04075099.4

15 January 2004 (15.01.2004)

- (71) Applicant (for all designated States except US): INNO-CORE TECHNOLOGIES B.V. [NL/N1.]; Kadıjk 7d, NL-9747 AT Groningen (NL).
- (72) Inventors; and
- (75) Inventors/Applicants (for U.S ordy): HISSINK, Catharina, Everdina (NUNL). Damsterdiep 193, NL-9713 EC Groningen (NL) STEENDAM, Rob (NUNL); Snip 67, NL-9728 XR Groningen (NL). MEYBOOM, Ronald [NL/NL]; Jorissenweg 4, NL-9751 VT Haren (NL) FUIPSEN, Theodorus, Adrianus, Cornelius [NL/NL]; Griffeweg 66, NL-9723 DR Groningen (NL).

- (74) Agent: WINCKELS, J.H.F.: Johan de Wittlaan 7, NL-2517 JR Den Haag (NL).
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(54) Title: BOIGRADABLE MULTI-BLOCK CO-POLYMERS

(57) Abstract: The invention relates to a biodegradable multi-block copolymer, comprising at least two hydrolysable segments derived from pre-polymers A and B, which segments are linked by a multi-functional chain-extender and are chosen from the prepolymers A and B, and triblock copolymers ABA and BAB, wherein the multi-block copolymer is amorphous at physiological (body) conditions. The invention further relates to a process for preparing said copolymer and to its use as a medical implant, a coating for